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(Rev. 3/88)

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UNITED STATES DISTRICT COURT
For The
WESTERN DISTRICT OF PENNSYLVANIA
U.S. DISTRICT COURT

U.S.A. vs. Jesse Richard

Docket No. 04-00178-005

Petition on Probation

COMES NOW Theodore W. Johnson, CHIEF PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct and attitude of Jesse Richard, who was placed on supervision by the Honorable Thomas M. Hardiman sitting in the Court at Pittsburgh, Pennsylvania, on the 19th day of August 2005, who fixed the period of supervision at five years and imposed the general terms and conditions theretofore adopted by the Court and also imposed special conditions and terms as follows:

- Shall refrain from any unlawful use of a controlled substance.
- Shall not possess a firearm, destructive device, or any other dangerous weapon.
- Shall not unlawfully possess a controlled substance.
- Shall provide the probation officer access to any requested financial information.
- Shall not incur new credit charges or open additional lines of credit without the approval of the probation officer.
- Shall participate in a program of testing and treatment for substance abuse as directed by the probation officer.
- Shall participate in a mental health treatment program as directed by the probation officer.
- Shall be placed on home detention for a period of 6 months.
- Shall pay \$100 special assessment.
- Shall pay \$5,058.47 restitution jointly and severally with codefendants.
- Shall make monthly restitution payments of not less than 10 percent of his gross monthly income.

08-19-05: Conspiracy; Sentenced to 5 years' probation; Currently supervised by U.S. Probation Officer Jeffrey A. Birt.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AND FOR CAUSE AS FOLLOWS:

Your Petitioner reports that the defendant has violated the following conditions of supervision:

The defendant shall refrain from any unlawful use of a controlled substance.

A urine sample obtained from Mr. Richard on January 8, 2007, tested positive for cocaine, and a sample obtained on June 14, 2006, tested positive for marijuana.

Mr. Richard completed an inpatient substance abuse treatment program at Gaudenzia Crossroads in Erie, Pennsylvania, on December 13, 2006. He was subsequently referred to the Dr. Daniel Snow Recovery House, which is a halfway house in Erie, Pennsylvania. Mr. Richard was admitted to the Dr. Daniel Snow Recovery

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House on December 13, 2006. He was administratively discharged from the facility on January 5, 2007, after a crack pipe was found next to his bed. When confronted by the staff of the Dr. Daniel Snow Recovery House and asked to submit a urine sample, Mr. Richard admitted that it was his pipe, and he had smoked crack cocaine.

The defendant shall participate in a mental health treatment program as directed by the probation officer, until such time as the defendant is released from the program by the probation officer.

Mr. Richard was directed to participate in mental health treatment with Dr. Marc Markiewicz. The defendant was evaluated by Dr. Markiewicz on April 12, 2006. Dr. Markiewicz advised that Mr. Richard was in need of weekly counseling for depression, anger issues, and anger management. Mr. Richard was directed to attend weekly counseling sessions with Dr. Markiewicz, but he failed to do so.

The defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month

Mr. Richard reported to the probation office on January 12, 2007. He was directed to report back to the probation office on January 19, 2007, but he failed to do so.

The defendant shall notify the probation officer at least ten days prior to any change in residence or employment.

Mr. Richard has not reported to the probation office since January 12, 2007, and his current whereabouts is unknown. It is noted that the defendant's father has advised the probation office that he is unaware of Mr. Richard's whereabouts.

The defendant shall not commit another federal, state or local crime.

On October 12, 2006, Mr. Richard was arrested by the Ross Township Police Department and charged with Forgery, Access Device Fraud, and Identity Theft. On February 2, 2007, Mr. Richard failed to appear for a pretrial conference relative to these charges, and Allegheny County Court of Common Pleas Judge Jeffrey A. Manning issued a bench warrant for his arrest at Criminal Docket No. 0015784-2006. The aforementioned new charges allegedly involve Mr. Richard opening a fraudulent credit card account in his father's name. It is noted that Mr. Richard admitted to committing the alleged criminal conduct to his supervising probation officer.

On March 2, 2007, Allegheny County Court of Common Pleas Judge David R. Cashman issued a bench warrant for Mr. Richard at Criminal Docket No. 0005977-2006, due to his failure to appear for trial. Mr. Richard is charged with Aggravated Assault, Simple Assault, Criminal Mischief, Disorderly Conduct, Public Drunkenness, and Purchase of Alcoholic Beverage by a Minor at Criminal Docket No. 0005977-2006. This conduct allegedly occurred on January 1, 2006.

On March 10, 2006, the Shaler Police Department charged Mr. Richard with six counts of Access Device Used to Obtain or Attempt to Obtain Property/Services. It was alleged that Mr. Richard stole his aunt's bank debit card, and he made six unauthorized bank transactions. These charges were dismissed on November 9, 2006. However, Mr. Richard admitted to stealing his aunt's debit card to his supervising probation officer.

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On October 12, 2006, the Etna Police Department filed a charge of Harassment against Mr. Richard. On February 2, 2007, District Justice Robert Dzvonick issued a warrant for Mr Richard's arrest due to failure to respond.

PRAYING THAT THE COURT WILL ORDER that a bench warrant be issued for the probationer's arrest and that ~~bond be set in the amount of~~ he will be detained w/out bond until a hearing.

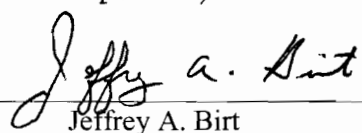
ORDER OF COURT

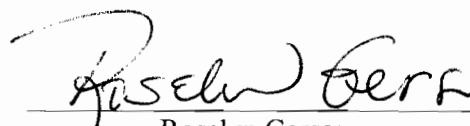
Considered and ordered this 13th day of April, 20 07 and ordered filed and made a part of the records in the above case.


United States District Judge

I declare under penalty of perjury that the foregoing is true and correct.

Executed
on April 6, 2007


Jeffrey A. Birt
U.S. Probation Officer


Roselyn Gerson
Supervising U.S. Probation Officer

Place: Pittsburgh, Pennsylvania